

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 IO-13 HA-05 CIAE-00 DODE-00 PM-05
H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02
SS-15 ICA-11 /084 W
-----006249 291706Z /42

R 281641Z JUL 78
FM AMEMBASSY LONDON
TO SECSTATE WASHDC 8620
INFO ALL EC CAPITALS
AMCONSUL BELFAST
AMCONSUL EDINBURGH

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E.O. 11652: N/A
TAGS: PDEV, PINT, UK
SUBJECT: DEVOLUTION: PARLIAMENT PASSES SCOTLAND AND
WALES BILLS

REF: LONDON 7820

SUMMARY: THE SCOTLAND AND WALES BILLS, WHICH WILL
DEVOLVE SPECIFIED GOVERNMENTAL FUNCTIONS TO ELECTED
ASSEMBLIES IN EDINBURGH AND CARDIFF, COMPLETED THEIR
LONG AND TORTUOUS PASSAGE THROUGH PARLIAMENT JULY 28.
BOTH BILLS ARE EXPECTED TO RECEIVE ROYAL ASSENT WITHIN
THE NEXT TWO WEEKS, PUTTING THEM ON THE STATUTE
BOOK. BUT THEY MUST BE RATIFIED BY REFERENDA IN
SCOTLAND AND WALES BEFORE THEY TAKE EFFECT, AND NO
DATE HAS YET BEEN SET FOR THESE POLLS. ESTABLISH-
MENT OF THE REGIONAL ASSEMBLIES, ACCORDINGLY, IS
STILL SOME TIME OFF, THE EARLIEST APPARENT TIMEFRAME
FOR THEIR OPERATION BEING THE FALL OF 1979. END
SUMMARY.

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1. THE HOUSE OF LORDS JULY 28 DECIDED TO ACCEPT
THE WILL OF COMMONS ON THE SCOTLAND AND WALES BILLS,
BUT NOT BEFORE THE PEERS HAD FORCED THE GOVERNMENT
TO ACCEPT A GREAT MANY OF THEIR AMENDMENTS. THE
GOVERNMENT ACCEPTED 170 OF THE UPPER HOUSE'S 239
AMENDMENTS, THOUGH MOST WERE PROCEDURAL OR CONCERNED
MATTER OF LITTLE IMPORT. THE LORDS' ATTEMPT TO IM-

POSE A PROPORTIONAL REPRESENTATION SYSTEM FOR ASSEMBLY ELECTIONS FAILED TWICE, AND WAS FINALLY DROPPED. BUT COMMONS OVERRULED THE GOVERNMENT BY A SINGLE VOTE TO ACCEPT THE PEERS' SOLUTION TO THE VEXING "WEST LOTHIAN QUESTION" -- HOW TO HANDLE THE CONSTITUTIONAL ANOMALY OF SCOTTISH MP'S BEING ABLE TO VOTE ON MATTERS AFFECTING ONLY ENGLAND AND WALES, WHILE ENGLISH AND WELSH MPS ARE DENIED THE RIGHT TO A VOICE ON SIMILAR MATTERS AFFECTING SCOTLAND BECAUSE THESE RESPONSIBILITIES HAVE BEEN DEVOLVED (AS THE WELSH ASSEMBLY HAS NO PRIMARY LEGISLATIVE AUTHORITY, THIS QUESTION DOES NOT ARISE). THE ACCEPTED FORMULA PROVIDES THAT WHEN LEGISLATION INVOLVING SOLELY ENGLAND AND WALES IS DECIDED BY A MAJORITY LESS THAN THE TOTAL NUMBER OF SCOTTISH MPS VOTING, THERE WILL BE A 14 DAY "COOLING OFF PERIOD" FOLLOWING THE THIRD READING VOTE, AFTER WHICH TIME THE BILL MAY BE RECONSIDERED. THIS CLAUSE, HOWEVER, BECOMES EFFECTIVE ONLY AFTER APPROVAL BY A SEPARATE RESOLUTION APPROVED BY COMMONS. LEADER OF THE HOUSE MICHAEL FOOT SUBSEQUENTLY CHARACTERIZED THE AMENDMENT A "CONSTITUTIONAL IMBECILITY" AND SAID THERE IS NOT THE SLIGHTEST CHANCE THAT IT WOULD EVER BE ACTIVATED.

2. THE LORDS ACTION BRINGS TO AN END WHAT HAS BEEN LIMITED OFFICIAL USE

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PARLIAMENT'S LONGEST RUNNING (AND SOME WOULD SAY MOST BORING) DELIBERATION IN MANY A YEAR. HAVING CLEARED THE FINAL LEGISLATIVE HURDLES, BOTH BILLS ARE EXPECTED TO RECEIVE ROYAL ASSENT WITHIN THE NEXT TWO WEEKS. AS YET THE GOVERNMENT HAS ANNOUNCED NO DECISION ON THE TIMING OF THE REFERENDA IN SCOTLAND AND WALES WHICH ARE REQUIRED BEFORE THE STATUTES TAKE EFFECT, IN PART BECAUSE CALLAGHAN HAS NOT DECIDED WHEN TO CALL A GENERAL ELECTION (SEE LONDON 11540). IF THE BILLS ARE ENDORSED BY THE RESPECTIVE ELECTORATES -- AND THE OUTCOME IS IN DOUBT IN WALES -- ELECTIONS FOR THE ASSEMBLIES WILL BE SCHEDULED. AT THIS POINT IT SEEMS UNLIKELY THAT THE ASSEMBLIES COULD BE FUNCTIONING MUCH BEFORE THE FALL OF 1979.

BREWSTER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TERRITORIAL REVERSION, REPORTS, LEGISLATIVE BILLS
Control Number: n/a
Copy: SINGLE
Draft Date: 28 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978LONDON12028
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780312-0157
Format: TEL
From: LONDON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780710/aaaaaibg.tel
Line Count: 111
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 1036c06a-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 LONDON 7820
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1844589
Secure: OPEN
Status: NATIVE
Subject: DEVOLUTION: PARLIAMENT PASSES SCOTLAND AND WALES BILLS
TAGS: PDEV, PINT, UK
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/1036c06a-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014